

IN THE DRAWINGS:

The drawings were objected to under 37 CFR 1.84 (p)(5). The Applicant has corrected Figures 1, 2, 3 by including a reference number "68" and a leader line to indicate a top wall of a support bracket 59. The Applicant has corrected Figures 1, 3, and 4 by including a reference number "94" and a leader line to indicate one of the terminal ends of a compression shaft 90, as suggested by the Examiner and to comply with 37 CFR 1.12 (d) to render this objection moot.

The Applicant has also deleted a reference number "54" and a leader line with an arrow head from Figure 5, as suggested by the Examiner and to comply with 37 CFR 1.12 (d) and (b) to render this objection moot. The aforementioned corrections have also been made to render the Examiner's objections to paragraphs [0022] and [0024] of the specification moot.

REMARKS

After entry of the present amendment, claims 1, 2, and 5 through 10 will be pending in the application with claim 1 written in independent form. Claims 7 through 10 have been allowed. The Applicant has cancelled claims 3 and 4 to incorporate the limitations of claims 3 and 4 into claim 1. Claims 1, 5-7, 9, and 10 have been amended. The Applicant thanks the Examiner for the thorough review of the application and the allowance of claims 7 through 10.

Information Disclosure Statement

The Applicant discussed United States Patent No. 6,276,719 to Gartner, French Patent No. FR 2787842 to Chartrain et al., and European Patent No. EP 0443881 to Kinoshita in the background section of the specification. United States Patent No. 6,276,719 to Gartner and French Patent No. FR 2787842 to Chartrain et al. have been cited by the Examiner in the Notice of References Cited (PTO-892). The Applicant is filing concurrently herewith an Information Disclosure Statement citing the European Patent No. EP 0443881 to Kinoshita for consideration by the Examiner.

Drawings

The drawings were objected to under 37 CFR 1.84 (p)(5). The Applicant has corrected Figures 1, 2, 3 by including a reference number "68" and a leader line to indicate a top wall of a support bracket 59 and Figures 1, 3, and 4 by including a reference number "94" and a leader line to indicate one of the terminal ends of a compression shaft 90. The Applicant has deleted a reference number "54" and a leader line with an arrow head from Figure 5, as suggested by the Examiner and to comply with 37 CFR 1.12 (d) and (b) to render this objection moot. Alluding to the above, the aforementioned corrections have also been made to render the Examiner's objections to the disclosure, in particular to paragraphs [0022] and [0024], moot.

Specification

The specification is objected because of multitude of informalities in paragraphs [0005]; [0007]; [0020]; [0021]; [0022]; and [0024]. The Applicant has amended the specification as suggested by the Examiner to render this objection moot and to coincide with subject matter previously claimed in the application as originally filed. The Examiner's objections to the aforementioned paragraphs [0022] and [0024] are moot in light of the corrected Figures 1 through 4.

Claims

Claim Objections

Claims 1, 9, and 10 have been objected by the Examiner due to informalities. The Applicant has corrected the aforementioned claims as suggested by the Examiner to render this objection moot.

Claim Rejections – 35 U.S.C. §112, second paragraph

Claim 10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Applicant has amended claim 10 to render this rejection moot.

Claim Rejections – 35 U.S.C. §102

Claims 1-6 stand rejected under 35 U.S.C. §102 (b) as being anticipated by the United States Patent No. 5,377,555 to Hancock (the ***Hancock reference***). In addition, the Examiner has rejected claim 1 under 35 U.S.C. §102 (b) as being anticipated by the United States Patent No. 5,165,720 to Hoblingre (the ***Hoblingre reference***). Claims 7-10 are allowable if rewritten in independent form.

The Examiner pinpointed a scope of novelty as set forth in dependent claim 7. In brief, the unique pivotal movement of the claimed locking element is patentably distinct over the prior

art, such as rotatable mechanism in the *Hancock reference*.

The Applicant has therefore amended claim 1 to, in essence, accept the Examiner's allowable subject matter. In particular, the Applicant incorporated limitations of claims 3 and 4 and included limitations previously disclosed by the Applicant in paragraphs [0025] and [0027] thereby alluding to the language of the limitation presented in claim 7 and allowed by the Examiner. Specifically, the Applicant amended claim 1 to distinguish the unique assembly of the Applicant's invention by whereby the second locking element *is rotatable about a detent axis extending vertically with respect to the longitudinal axis and pivotal about the shaft with the second locking element moving into the detent recess to lock within the detent recess as the first and second locking elements move the bracket sections into the clamping engagement with the adjustable steering column assembly.* As amended, the second locking element of the Applicant's invention is distinguished from the prior art of record, including the *Hancock reference*.

The *Hancock reference* discloses a first locking element (10) of a circular configuration for presenting a pair of detent recesses (10C) and a second locking element (13) having a pair of rollers (11) movable between locked position in engagement with the detent recesses (10C) and the release position (10B) out of engagement with the detent recesses (10C). A handle (14) is connected to and is rotatable with the second locking element (13) about a shaft (15) extending through the compression bracket (6, 22) and the first and second locking elements (10, 13). The *Hancock reference* does not disclose, teach or suggest any configuration other than the configuration of the first locking element (10) rotatable about the shaft (15).

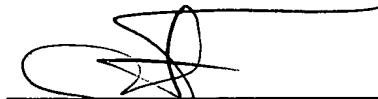
For the reasons set forth above, the Applicant respectfully submits that independent claim 1 is in condition for allowance. Dependent claims 2 and 5 through 10 are also allowable wherein claims 2 and 5 through 6 depend from the novel features of the claim 1 and claims 7 through 10 have been previously allowed by the Examiner.

Applicant: Manwaring
Serial No.: 10/729,240

The application is now in condition for allowance, which allowance is respectfully solicited. No additional fees are required, however, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS P.C.



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Date

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CERTIFICATE OF MAILING

I hereby certify that the enclosed **Amendment** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope and addressed to Mail Stop Amendment - Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **February 7, 2006**.



Melissa S. Dadisman